

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

John Staggars Jr., #346677,)	C/A No. 2:12-317-GRA-BHH
)	
Plaintiff,)	
)	REPORT AND RECOMMENDATION
v.)	<i>for partial disposition</i>
)	
Kenny Boone, Director, Sheriff; McDougaly, R.N.,)	
and Florence County, et al.,)	
)	
Defendants.)	
_____)	

In this civil action filed by a state prisoner, by Order dated March 28, 2012, this court noted that Plaintiff had filed an Amended Complaint wherein he added a new defendant, Florence County. See ECF No. 16. This court directed the Clerk of Court to mail blank service documents to Plaintiff for him to complete and return to the court for Defendant Florence County within twenty-one (21) days from the date the order was entered (plus three days for mail time). *Id.* Further, this court authorized service of process of the Amended Complaint on Defendants Kenny Boone and McDougaly, R.N. *Id.* Plaintiff did not respond to this court's March 28, 2012, Order, and he failed to submit proposed service documents for Florence County. The time to submit proposed service documents has lapsed. Thus, Plaintiff has failed to prosecute this case as to Defendant Florence County, and it is recommended that Defendant Florence County be **dismissed without prejudice** from this action. Plaintiff's attention is directed to the important notice on the next page.

May 1, 2012
Charleston, South Carolina

s/Bruce Howe Hendricks
United States Magistrate Judge

Notice of Right to File Objections to Report and Recommendation

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

Larry W. Propes, Clerk
United States District Court
Post Office Box 835
Charleston, South Carolina 29402

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).